IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

APPEAL FROM ORDER NO.990 OF 2004
IN
NOTICE OF MOTION NO.4418 OF 2004
IN
L.C. SUIT NO.5075 OF 2004

Miss Kalpana Shamji Shah ... Appellant

V/s.

The Municipal Corporation of
Greater Mumbai & Ors. ... Respondents

Mr.A.Y. Sakhare with J.J. Shah for Appellant
Mr.J. Xavier for Respondent No.1
Mr.N.K. Vyas for Respondent Nos.2 and 3
Mr.Bharat Joshi for Respondent No.4

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **NOVEMBER 29, 2004**

P.C.:

. This Appeal from Order has been filed against the refusal of the ad-interim relief. According to the appellant, it was because of the absence of the advocate for the plaintiff that certain issues were not pointed out to the trial Court. However, instead of considering these issues in the Appeal from Order, I find that it would be appropriate to direct the Motion be disposed of on 21.12.2004 since it has already been adjourned to that date by the trial Court.

2. The Respondents shall file their respective

replies by 10th December, 2004. The Plaintiff shall file rejoinder within a week thereafter, if necessary.

3. Appeal from Order is disposed of accordingly.

4. In view of the disposal of the Appeal from Order, nothing survives in Civil Application No.1371 of 2004 and the same is disposed of accordingly.